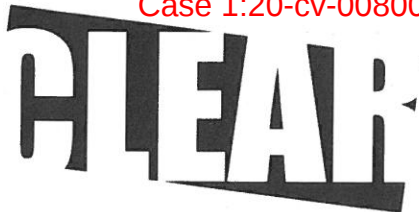


# **Exhibit A**



CREATING  
LAW  
ENFORCEMENT  
ACCOUNTABILITY &  
RESPONSIBILITY

Main Street Legal Services, Inc.  
CUNY School of Law  
2 Court Square  
Long Island City, NY 11101-4356  
www.cunyclear.org

VIA Certified Mail

August 8, 2018

U.S. Citizenship and Immigration Services  
National Records Center  
P.O. Box 648010  
Lee's Summit, MO 64064

**RE: Freedom of Information Act Request**

To Whom It May Concern:

This is a request under the Freedom of Information Act and Privacy Act of 1974:

We are legal counsel for Abderrahmane Farhane (**DOB: November 13, 1954; Country of Birth: Morocco**). Pursuant to the Privacy Act of 1974 (5 U.S.C. §552(A)(b)), we have attached the authorization for release of information form.

**MATERIALS REQUESTED**

We request copies of the following records, documents, data entries, correspondence, reports, memorandums, opinions, written or typed notes, and/or audio recordings (collectively, hereinafter "records") that were created, used or maintained by the United States Citizenship and Immigration Services (USCIS) pertaining to Mr. Farhane (A#040415851). These include but are not limited to:

1. The entire Afile pertaining to Mr. Farhane (A040415851);
2. All records or documents relating to Mr. Farhane's N-400 Application for Naturalization;
3. All records and documents in or relating to the results of security checks for Mr. Farhane, including but not limited to the FBI Name Check, the FBI Fingerprint or NCIC Criminal History check, the OBIM and IDENT checks, and TECS/IBIS, AR11, ATS-P Entry/Exit, CIS, CLAIMS 3M/F, CLAIMS 4, CPMS, DOJ-EOIR, DoS-CCD, eCISCOR-C3-LAN, ENFORCE, EOIR, FD258, MFAS, NFTS, TECS-SQ-11, TECS-SQVS.
4. Any communication between the Department of Homeland Security – Homeland Security Investigations and U.S. Citizenship & Immigration Services concerning Mr. Farhane from January 1, 2016 to the present.
5. Any communication between the Federal Bureau of Investigation and U.S. Citizenship & Immigration Services concerning Mr. Farhane from January 1, 2005 to the present.

6. Any communication between U.S. Immigration and Customs Enforcement and U.S. Citizenship & Immigration Services concerning Mr. Farhane from January 1, 2005 to the present.
7. Any communications between the Department of Justice and U.S. Citizenship & Immigration Services concerning Mr. Farhane from January 1, 2005 to the present.

We request that you search any relevant electronic databases, as well as conduct a hand search of all files containing information pertaining to Mr. Farhane. As FOIA requires, please release all reasonably segregable, non-exempt portions of any responsive documents. 5 U.S.C. § 552(b).

If the records are available electronically, we request that they be provided electronically. Please respond with all applicable documents to:

[naz.ahmad@law.cuny.edu](mailto:naz.ahmad@law.cuny.edu)

For those records that are not available electronically, please mail them to:

Naz Ahmad  
CLEAR – Main Street Legal Services, Inc.  
CUNY School of Law  
2 Court Square  
Long Island City, NY 11101

### **FEE WAIVER**

While this request is subject only to “reasonable duplication charges,” it merits a complete fee waiver because disclosure of the requested information is in the public interest and will likely contribute significantly to public understanding of the operations or activities of the government. 5 U.S.C. § 552(a)(4)(A).

The Creating Law Enforcement Accountability & Responsibility (CLEAR) Project is part of the City University of New York School of Law. The CLEAR Project was created in response to national security and counterterrorism policies and practices affecting Muslim, Arab, and South Asian (MASA) communities in the greater New York City area. The CLEAR project provides for important unmet legal needs of these communities by: providing support to local community-based organizations serving MASA communities, providing Know-Your-Rights workshops on related issues, and providing legal representation and consultation.

Furthermore, a complete fee waiver should be granted for Mr. Farhane’s request. 5 U.S.C. § 552(a)(4)(A)(iii) mandates a fee waiver when the disclosure of the requested information is in the public interest, as opposed to a commercial interest, and will likely contribute significantly to public understanding of the operations or activities of the government. CLEAR will then share this understanding widely with the MASA communities with whom we work, and those interested in law enforcement and civil liberties. *See, e.g., Judicial Watch v.*

*Gen. Servs. Admin.*, No.Civ.A.98-2223, 2000 WL 35538030, at \*8, \*11 (D.D.C. Sept. 25, 2000); *McClellan Ecological Seepage Situation v. Carlucci*, 835 F.2d 1282, 1285 (9th Cir. 1987).

Additionally, CLEAR frequently serves as a resource for the news media on these issues due to our active role in the local Muslim-community organizing efforts.

This request is subject only to “reasonable duplication charges” under 5 U.S.C. §552(a)(4)(A)(ii)(II), because the records are not sought for commercial use and they are being requested by “an educational or noncommercial scientific institution whose purpose is scholarly or scientific research.” The CLEAR project is involved in a number of initiatives, including seeking to understand the nature and scope of police policies affecting Muslim and Arab individuals, particularly the difficulties they face in applying for immigration benefits.

If necessary, CLEAR is willing to pay fees for this request up to a maximum of \$25. If you estimate that the fees will exceed this limit, please inform us before processing the request.

#### **Expedited Processing**

We request expedited processing of this request. The Department of Justice has recently sent notice of its intent to seek denaturalization of Mr. Farhane (copy of pre-filing letter attached). Mr. Farhane requires expedited processing in order to defend himself in denaturalization proceedings.

Please contact us at (718) 340-4630 with any questions or concerns. We look forward to receiving your response within the twenty day statutory time period. Thank you.

Sincerely,



Naz Ahmad





## Freedom of Information/Privacy Act Request

Department of Homeland Security  
U.S. Citizenship and Immigration Services

USCIS  
Form G-639  
OMB No. 1615-0102  
Expires 04/30/2020

**NOTE:** Use of this form is optional. USCIS accepts any written request, regardless of format, provided that the request complies with the applicable requirements under the FOIA and the Privacy Act.

► **START HERE - Type or print in black ink.**

### Part 1. Type of Request

Select **only one** box.

**NOTE:** If you are filing this request on behalf of another individual, respond as it would apply to that individual.

- 1.a. ☒ Freedom of Information Act (FOIA)/Privacy Act (PA)  
1.b. ☐ Amendment of Record (PA only)

### Part 2. Requestor Information

1. Are you the Subject of Record for this request?  
☐ Yes ☐ No

If you answered "No" to **Item Number 1.**, provide the information requested in **Part 2.** If you answered "Yes" to **Item Number 1.**, skip to **Part 3.**

#### Requestor's Full Name

- 2.a. Family Name (Last Name)   
2.b. Given Name (First Name)   
2.c. Middle Name

#### Requestor's Mailing Address

- 3.a. In Care Of Name (if any)   
3.b. Street Number and Name   
3.c. ☐ Apt. ☐ Ste. ☐ Flr.   
3.d. City or Town   
3.e. State  3.f. ZIP Code   
3.g. Province   
3.h. Postal Code   
3.i. Country

### Requestor's Contact Information

4. Requestor's Daytime Telephone Number  
  
5. Requestor's Mobile Telephone Number (if any)  
  
6. Requestor's Email Address (if any)

### Requestor's Certification

By my signature, I consent to pay all costs incurred for search, duplication, and review of documents up to \$25. (See Form G-639 Instructions for more information.)

- 7.a. Requestor's Signature  
➔   
7.b. Date of Signature (mm/dd/yyyy)

### Part 3. Description of Records Requested

**NOTE:** While you are not required to respond to every item in **Part 3.**, failure to provide complete and specific information may delay processing of your request or create an inability for U.S. Citizenship and Immigration Services (USCIS) to locate the records or information requested.

1. **Purpose (Optional):** You are not required to state the purpose of your request. However, providing this information may assist USCIS in locating the records needed to respond to your request.

### Full Name of the Subject of Record

- 2.a. Family Name (Last Name)   
2.b. Given Name (First Name)   
2.c. Middle Name

**Part 3. Description of Records Requested**  
(continued)**Other Names Used by the Subject of Record (if any)**

Provide all other names you have ever used, including aliases, maiden name, and nicknames. If you need extra space to complete this section, use the space provided in **Part 5. Additional Information.**

- 3.a. Family Name (Last Name)
- 3.b. Given Name (First Name)
- 3.c. Middle Name

**Full Name of the Subject of Record at Time of Entry into the United States**

- 4.a. Family Name (Last Name)
- 4.b. Given Name (First Name)
- 4.c. Middle Name

**Other Information About the Subject of Record**

5. Form I-94 Number Arrival-Departure Record  
▶
6. Alien Registration Number (A-Number) (if any)  
▶ A-
7. USCIS Online Account Number (if any)  
▶
8. Application, Petition, or Request Receipt Number  
▶

**Information About Family Members that May Appear on Requested Records**

For example, provide the requested information about a spouse or children. If you need extra space to complete this section, use the space provided in **Part 5. Additional Information.**

**Family Member 1**

- 9.a. Family Name (Last Name)
- 9.b. Given Name (First Name)
- 9.c. Middle Name
10. Relationship

**Family Member 2**

- 11.a. Family Name (Last Name)
- 11.b. Given Name (First Name)
- 11.c. Middle Name
12. Relationship

**Parents' Names for the Subject of Record****Father**

- 13.a. Family Name (Last Name)
- 13.b. Given Name (First Name)
- 13.c. Middle Name

**Mother**

- 14.a. Family Name (Last Name)
- 14.b. Given Name (First Name)
- 14.c. Middle Name
- 14.d. Maiden Name (if applicable)

**15. Description of Records Sought.**

Provide a description of the records you are seeking. If you need additional space, use the space provided in **Part 5. Additional Information.**

**Part 4. Verification of Identity and Subject of Record Consent**

**NOTE:** Complete all applicable **Item Numbers**. In addition, the Subject of Record **MUST** sign **Part 4.** of this request.

**Full Name of the Subject of Record**

- 1.a. Family Name (Last Name)
- 1.b. Given Name (First Name)
- 1.c. Middle Name



**Part 4. Verification of Identity and Subject of Record Consent (continued)****Mailing Address for the Subject of Record**

- 2.a. In Care Of Name (if any)
- 2.b. Street Number and Name
- 2.c. ☒ Apt. ☐ Ste. ☐ Flr.
- 2.d. City or Town
- 2.e. State  2.f. ZIP Code
- 2.g. Province
- 2.h. Postal Code
- 2.i. Country

**Other Information for the Subject of Record**

3. Date of Birth (mm/dd/yyyy)
4. Country of Birth

**Contact Information for the Subject of Record**

Providing this information is optional.

5. Daytime Telephone Number
6. Mobile Telephone Number (if any)
7. Email Address (if any)

**Signature and Notarized Affidavit or Declaration of the Subject of Record**

Select only one box.

**NOTE:** The Subject of Record **MUST** provide a signature in **Item Number 8.a. Notarized Affidavit of Identity OR Item Number 8.b. Declaration Under Penalty of Perjury**. If the Subject of Record is deceased, read **Item Number 8.c. Deceased Subject of Record** and attach proof of death.

**8.a. ☐ Notarized Affidavit of Identity**

(Do **NOT** sign and date below until the notary public provides instructions to you.)

By my signature, I consent to USCIS releasing the requested records to the requestor (if applicable) named in **Part 2**. I also consent to pay all costs incurred for search, duplication, and review of documents up to **\$25** (if filing this request for myself).

\_\_\_\_\_  
Signature of Subject of Record\_\_\_\_\_  
Date of Signature (mm/dd/yyyy)

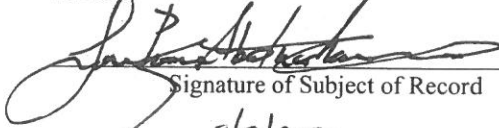
Subscribed and sworn to before me on this \_\_\_\_\_  
day of \_\_\_\_\_ in the year \_\_\_\_\_.

Daytime Telephone Number \_\_\_\_\_

\_\_\_\_\_  
Signature of Notary\_\_\_\_\_  
My Commission Expires on (mm/dd/yyyy)**8.b. ☐ Declaration Under Penalty of Perjury**

By my signature, I consent to USCIS releasing the requested records to the requestor (if applicable) named in **Part 2**. I also consent to pay all costs incurred for search, duplication, and review of documents up to **\$25** (if filing this request for myself).

I certify, swear, or affirm, under penalty of perjury under the laws of the United States of America, that the information in this request is complete, true, and correct.

  
Signature of Subject of Record

8/3/2018  
Date of Signature (mm/dd/yyyy)

**8.c. Deceased Subject of Record**

(NOTE: You **MUST** attach an obituary, death certificate, or other proof of death.)







U.S. Department of Justice  
Civil Division  
Office of Immigration Litigation  
District Court Section

July 23, 2018

**VIA OVERNIGHT FEDERAL EXPRESS**

Abderrahmane Farhane  
1834 W. 13<sup>th</sup> Street, Apt. 2  
Brooklyn, NY 11223

Abderrahmane Farhane  
273 20<sup>th</sup> Street, Apt. 1R  
Brooklyn, NY 11215

SUBJECT: Pre-Filing Notice of Complaint / Revocation of Naturalization  
*Abdulrahman Farhane (A040-415-851)*

Dear Mr. Farhane:

You are hereby notified that the United States Department of Justice plans to bring a civil action against you in federal court under the Immigration and Nationality Act to revoke your United States citizenship pursuant to 8 U.S.C. § 1451(a)

The government has evidence that you (1) illegally procured your naturalization, and (2) procured your naturalization by willfully misrepresenting or concealing material facts in your naturalization proceedings. Specifically, from at least on or about November 2001 and continuing through your naturalization as a U.S. citizen on April 19, 2002, you conspired to transfer money from the United States to locations overseas to purchase weapons and communications equipment for jihadists in Afghanistan and Chechnya, in violation of 18 U.S.C. § 1956(a)(2)(A). During your naturalization proceedings, you stated that you had never knowingly committed any crime for which you had not been arrested. Nevertheless, in 2006, after you naturalized, you admitted and pleaded guilty to the foregoing crime.

Based on the foregoing facts, you illegally procured your naturalization because you committed unlawful acts prior to your naturalization, which adversely reflected upon your good moral character. See 8 U.S.C. §§ 1427(a)(3); 8 U.S.C. § 1101(f); 8 C.F.R. § 316.10. Indeed, you pleaded guilty to, and were convicted of, committing the offense of conspiracy to commit money laundering, in violation of 18 U.S.C. § 371. See *United States v. Abdulrahman Farhane*, No. 05-cr-673 (S.D.N.Y.). Moreover, you also lacked the requisite good moral character because you provided false testimony during your naturalization interview, to wit: you did not disclose that from at least in or about November 2001, you had participated in a conspiracy to send money from

the United States to a location outside of the United States, intending the money to be used to purchase weapons and equipment for jihadists fighting in Afghanistan and Chechnya, in violation of 18 U.S.C. § 371. You were therefore ineligible to naturalize. In addition, you willfully misrepresented or concealed material facts throughout the naturalization process, in particular misrepresenting and concealing your criminal participation in a conspiracy.

Under Executive Order 12988 on Civil Justice Reform, 61 Fed. Reg. 4729 (Feb. 5, 1996), we are contacting you to explore the possibility of settlement prior to initiating litigation. Accordingly, we would like to extend to you the opportunity to settle this matter now to save you and the federal government the burden and expense of litigation. Any settlement must include, at a minimum, your relinquishment of United States citizenship.

You are strongly encouraged to obtain legal counsel. If you are currently represented, and you are interested in attempting to settle this matter before we file a lawsuit in federal court, please have your attorney contact us to discuss this matter. If you are not currently represented, you may only contact us in writing to indicate your interest in exploring settlement. To be clear, all communications should be in writing unless and until you obtain legal counsel.

We seek to complete settlement negotiations within 14 days from the date you receive this letter. If any settlement negotiations are not completed by August 8, 2018, the government intends to promptly file this denaturalization action. Further, if you or your attorney fail to contact the undersigned by the above date, we will assume that you are not interested in a pre-filing settlement and we will initiate denaturalization proceedings in federal court as described above.

Sincerely,

DATED: July 24, 2018

By: 


ANTHONY D. BIANCO  
Senior Litigation Counsel  
District Court Section  
Office of Immigration Litigation  
Civil Division  
U.S. Department of Justice  
P.O. Box 868, Ben Franklin Station  
Washington, DC 20044  
Telephone: (202) 305-8014  
E-mail: anthony.d.bianco@usdoj.gov

*Counsel for the United States*

**2 AHMAD, ESQ.**  
**1 Street Legal Services Inc.**

**NY SCHOOL OF LAW**

Square, Long Island City, New York 11101-4356

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U.S. Citizenship & Immigration Services  
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**August 8, 2018, 10:44 pm**

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